

MINUTES OF THE REGULAR MEETING

APRIL 11, 2017

The Regular Meeting of the Morris County Municipal Utilities Authority was held on April 11, 2017 at 7:03 p.m. in the First Floor Conference Room at the MCMUA Offices located at 214A Center Grove Road, Randolph, New Jersey. The necessary notice of this meeting was published according to the law.

Chairwoman Szwak requested a roll call.

PRESENT: Mr. William Hudzik, Mr. James Barry,
Dr. Arthur Nusbaum, Mr. Christopher Dour,
Mr. Frank Druetzler, Mr. Fletcher Platt, and
Ms. Laura Szwak.

ABSENT: Dr. Dorothea Kominos.

Also present was Larry Gindoff, Acting Executive Director; Andrew Holt, MCMUA Water Consulting Engineer; Larry Kaletcher, Treasurer; Marilyn Regner, Secretary; Joseph J. Maraziti, Jr., Esq., Maraziti Falcon LLP; Steve Trimboli, Esq., Trimboli & Prusinowski, LLP; Kathleen Hourihan, District Recycling Coordinator and Christine Myers, Freeholder-liaison.

Chairwoman Szwak gave a salute to Glenn Schweizer. She mentioned that things have changed drastically since our last meeting and there will be a closed session at the end of this meeting to bring the Board up-to-date with what has been happening. Chairwoman Szwak mentioned that Jim Barry, Maraziti Firm, Larry Gindoff and myself met with Glenn Schweizer on March 30th, which turned out to be his last day, and he went over everything, including things that are left to do and he wrote everything out. If anyone would like a copy of that, I would be glad to share. A copy has been sent to the Executive Committee.

Chairwoman Szwak commented that it has been an honor to work with Glenn and salute his 39 years of working with the M.U.A. I want to thank Jim and Frank of the Executive Committee, you guys have been great, and thank you as we are navigating this unmarked trail. I also thank the legal team; they have been very helpful and thank you Larry for willing to step in as Acting Executive Director.

Mr. Druetzler thanked Laura Szwak for steering the Board through this big change. He commented that he met Glenn 26 years ago and that is when he became a Freeholder and was the Solid Waste liaison. On the stormy times that were there in the beginning, it was perseverance, intelligence and thought-out policies that brought the M.U.A. to where it is today, which I think is in a great spot. It just doesn't seem right to me, to the M.U.A. to not have Glenn and he will be big time missed.

Mr. Maraziti commented that in August, it will be 30 years that I have been working with Glenn at one version of this table or another, in one location or another, through one crisis or

another and his hand was always steady, his spirit was always high, his leadership was always excellent, and his integrity was unquestioned and he made a huge difference that is unseen in many ways, largely in the landscape of acquiring for preservation. I don't know how many acres it has been through the Open Space Trust Fund that has preserved (Chairwoman Szwak said 3,500) and he did it very adroitly and skillfully and I miss him as a colleague and a friend.

Mr. James Barry added that he is so grateful that you are present at Chairwoman. You have done a remarkable job through this transition and I thank you for that. He also added that he feels the same as Frank and Joe about working with Glenn. It has been a great pleasure and a wonderful, long friendship that I have had with him.

Christine Myers thanked all Board and Staff for the level of professionalism that you have conducted at this Commission and the M.U.A. in general. It is beyond compare in anything that I have seen. It is very incredibly well-run and that is a good thing because people would have no idea of what it would be like, Frank does, if it wasn't. It is kudos to all of you and Glenn for his leadership and I want you to know that we will all miss him; but then thank you Laura. Mr. Maraziti commented that he has been in the trenches with Laura in this period of time and he is so impressed. Laura replied thank you. Chairwoman Szwak mentioned that during closed session, she wants the Board to ask your questions; she wants everyone to be comfortable with where we are.

Chairwoman Szwak thanked Staff and commented that it must be tough but asked them to hang in there; you are very professional and we appreciate that.

Chairwoman Szwak mentioned that Marilyn wanted me to point out the Awards luncheon invite is in your packets, so mark the date and hopefully you can come.

Chairwoman Szwak asked for the Board's approval of the Minutes of the Regular and Closed Session Meetings dated March 7, 2017.

MOTION: Mr. Platt made a Motion to approve the Minutes of the Regular and Closed Session Meetings of March 7, 2017 and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 6 NAYES: NONE ABSTENTIONS: Mr. Dour

TREASURER'S REPORT:

Mr. Kaletcher presented the Treasurer's Report for the Solid Waste Operating, Water Operating and Capital Accounts for the month of March 2017. Also included are the Comparative Balance Reports for both the Solid Waste and Water Divisions for the first quarter of 2017. Our investment report shows that on March 21st we renewed a one-year CD with Provident Bank with 1.05%. Provident Bank is a government depository and is listed on the M.U.A.'s Cash Management Plan. These reports have been incorporated in these Minutes.

Mr. Hudzik asked if we have to do the CDs with Provident or can we find another bank? Mr. Kaletcher replied that we do. We have CD's with other banks and he checked three other institutions for the one-year rate and Provident had the highest.

Chairwoman Szwak asked the Board for a Motion to accept the Treasurer's Report:

MOTION: Mr. Dour made a Motion to accept the Treasurer's Report and Mr. Hudzik seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher mentioned that as stated in the Transfer Station report, the lowest bid amount for the APC system, which is in line with the engineer's more in depth pre-bid estimate, is over what was originally budgeted by approximately \$300,000.

Resolution No. 17-25 transfers budget funds in the amount of \$300,000 to our Project Reserve so that we can proceed with awarding the bid later on this evening. Mr. Kaletcher asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-25A
RESOLUTION TO AMEND THE 2017 FISCAL BUDGET FOR THE MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY PURSUANT TO N.J.A.C. 5:31-2.8
SOLID WASTE DIVISION

WHEREAS, N.J.A.C. 5:31-2.8 provides that the Division of Local Government Services may approve the amendment of the budget of any Authority or District when there are decreases in budgeted appropriations with corresponding increases in budgeted appropriations, and

WHEREAS, said Director may approve the amendment of the authority's budgeted appropriations in equal amounts.

NOW, THEREFORE, BE IT RESOLVED, that the Morris County M.U.A. hereby request the Director of Local Government Services to approve the amendment to the 2017 budget as follows:

<u>Decrease Appropriations:</u>	<u>From:</u>	<u>To:</u>
Transfer Station O&M	\$29,472,954.00	\$29,172,954.00
<u>Increase Appropriations:</u>	<u>From:</u>	<u>To:</u>
Renewal & Repl. Res. (Project Reserve.)	\$ 2,102,200.00	\$ 2,402,200.00

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the meeting held on Tuesday, April 11, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to amend the Solid Waste 2017 Fiscal Budget for the MCMUA Pursuant To N.J.A.C. 5:31-2.8 and Mr. Dour seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-26
RESOLUTION AUTHORIZING SIGNATURES ON CHECKS

WHEREAS, the Morris County Municipal Utilities Authority desires to authorize the signatures on checks issued on Authority accounts.

NOW, THEREFORE, BE IT RESOLVED by Morris County Municipal Utilities Authority as follows:

1. The following two signatures shall be required on all checks of the Morris County Municipal Utilities Authority: (1) Lawrence A. Kaletcher, Treasurer; and (2) Marilyn Regner, Secretary.
2. This Resolution authorizes and ratifies notification to all of the Authority's financial institutions of the aforementioned requirement and the amendment of any signature cards to that effect.
3. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on April 11, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to authorize the signatures of Lawrence A. Kaletcher and Marilyn Regner on all MCMUA Checks and Dr. Nusbaum seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher asked for the Board's approval of the vouchers:

BILL RESOLUTION NO. 17-27

BE IT HEREBY RESOLVED that the bills as shown on the SCHEDULE OF WARRANTS all having been approved by the Board of officials where legally required, be and the same are hereby paid. The SCHEDULE OF WARRANTS designated as Bill Resolution No. 17-27 containing 7 pages for a total of \$2,469,503.19 dated and made a part hereof by reference.

SUMMARY

CHECK NUMBERS

CAPITAL FUNDS		\$ 0.00
WATER OPERATING FUNDS	3713-3752	252,734.26
SOLID WASTE OPERATING	7474-7580	<u>2,216,768.93</u>
		\$ 2,469,503.19

CERTIFICATION

I hereby certify that all vouchers listed above have been reviewed and found to be in proper form for payment, and I have compared the SCHEDULE OR WARRANTS to the vouchers for payment and have determined it to be correct.

DATE: April 11, 2017

BOARD CHAIRWOMAN APPROVAL

Laura Szwak, Chairwoman

SIGNED: _____
Marilyn Regner, Secretary

TREASURER'S CERTIFICATION

I hereby certify that there are sufficient funds in the appropriations charged, or accounts listed to cover the expenditures included in the SCHEDULE OF WARRANTS dated: April 11, 2017

DATE: April 11, 2017

Larry Kaletcher, Treasurer

Mr. Platt asked what is the Staff's procedure for reviewing these invoices. Mr. Kaletcher replied that typically once we receive the invoice, the Department Supervisor or Department Head reviews all of them, signs off on them prior to them being put into our financial system. Then afterwards, Mr. Gindoff mentioned that the Executive Director would review all these approvals and sign off on them after the approval of this Board. Mr. Platt commented that in essence you have already reviewed them and are recommending approval. Chairwoman Szwak commented that it really helps with having the project in parentheses after an entry; thank you for doing that.

MOTION: Mr. Platt made a Motion that the vouchers be approved for payment and Mr. Barry seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Kaletcher mentioned the Nisivoccia auditors were in-house from late February to early March so hopefully at the next meeting or the meeting following that, we should have an audit report.

CORRESPONDENCE:

Mr. Gindoff mentioned that Item 1 in correspondence was a letter from Dick Alaimo from Alaimo Group thanking the Board for reappointing their firm as Solid Waste Engineer. Secondly is an application submitted to N.J. Water Supply for water supply from the Raritan Basin System. It is a ten year contract for depleted use of water. Suburban Consulting filed the application in March.

Item 3 in correspondence is the status report on Morris Commons, which Joe Maraziti will give an update on during the Attorney Report section on the agenda. Item 4 in correspondence is an email from Laura Cummings of Southeast Morris County M.U.A. inviting the M.U.A. to participate in a meeting that was scheduled for April 27th with Southeast to go over some potential shared services that Laura Cummings thinks would be positive for both agencies. Mr. Gindoff mentioned that he would get back to her after he receives direction from the Board whether he should participate in that meeting or not. Mr. Gindoff mentioned that he knows that Andrew and Suburban had started those conversations, so they are participating in the meeting and I think I should go. Chairwoman

Szwak mentioned that Glenn had recommended that a Board Member go as well and asked if there are any volunteers that would want to go. Fletcher Platt agreed to go to the meeting. Chairwoman Szwak mentioned that this is important and Mr. Platt replied that he knows it is, however, there is going to be a lot on the table. Mr. Platt's commented that one thought is that things that do not have to move immediately perhaps we put off for a month or so while we focus on what is essential right now. Frank Druetzler added that Larry Gindoff should be attending the meeting and the Board concurred.

Item No. 5 in correspondence is an email from Karen Burris for Peggy Gallos who works at the Association of Environmental Authorities, which we are a member of, looking to conduct a Commissioner's meeting later in the year and they want to conduct a survey of Board Members to see if you have ever participated in the AEA Conferences or if you have any opinions on them, so they gave us a link to fill out a survey. Marilyn will be emailing the survey to the Board Members. Mr. Platt mentioned that the AEA has a Commissioner's handbook that they are updating and they do hold sessions to typically inform new board members of what the responsibilities are and what they are not and how they should act at meetings. He thinks that AEA is a good organization and their meetings are worthwhile and anyone that hasn't attended, should consider it. Mr. Maraziti commented that Fletch is selling himself short has been a member since the 70's and worked with me on preparing a model ethics ordinance; a resolution as applicable that we circulated around the State with a Committee of the AEA. It is an active organization and good for the industry that you are a part of.

Item 6 of correspondence is a flyer contained in the correspondence report that shows a couple of work sessions that the Morris County Open Space Trust Fund Committee is conducting regarding some trail construction grant programs that they have available for municipal participants. He sat through an overview of it during the Open Space Meeting that we had on March 30th. It seemed like a great program to develop trails in municipalities that need maintenance and/or improving, so there are two work sessions coming up in the near future to educate the municipal participants on what they need or how to participate in applying for those grants. Chairwoman Szwak asked if non-profits are eligible and Mr. Gindoff replied no; municipalities only. He added that this program was apparently very successful last year and he would anticipate competition for those grants. Chairwoman Szwak asked what is the maximum grant amount or is it flexible? Christine Myers replied that it is pretty flexible right now. This is the second year that we are doing it so we are also modifying the rules as we look to figure out how we could best help the municipalities and what the municipalities want. We are still in the flexible phase. Mr. Druetzler asked how much is in the total pool of money and Mr. Gindoff replied it was around 600,000-800,000 dollars, in that range. Mr. Gindoff mentioned that they were able to give out virtually all that money last year. Christine Myers mentioned probably around \$600,000 and what we realized was that the municipalities needed more help and guidance in figuring out what they needed to do and what was appropriate for them to do and that funding amount could also change.

Finally, there was one additional piece of correspondence which was a press release from the County of Morris regarding one of the properties that the M.U.A. participated in last year which was Untermeyer Lake project that was in two pieces. One contained the lake and the other contained the big parcel that connected to some of the Morris County Park Commission's parklands and the park parcel was closed on just recently and he does believe they plan on closing on the Untermeyer Lake parcel in the near future. Also at the Open Space Committee Meeting, he heard about several other open space projects that are near to closing and/or are closed with respect to last year's grant applications or the year before.

Letter dated March 10, 2017 to MCMUA Board Members from Richard A. Alaimo, P.E., P.P., Alaimo Group, thanking the Board for their reappointment as the Solid Waste Engineer.

Letter dated March 13, 2017 to Chris Sotiro, Manager of Contracts & Risk Management, N.J. Water Supply Authority, from Glenn Schweizer regarding Application for Water Supply from the Raritan Basin.

Letter dated March 30, 2017 to Hon. Maryann L. Nergaard, J.S.C., Superior Court of

New Jersey from Keli L. Gallo, Esq., The Buzak Law Group, LLC regarding Rockaway Township's status report regarding its efforts to obtain additional water supplies.

Email dated April 5, 2017 from Laura Cummings to Glenn Schweizer regarding Shared Services.

Email from Karen Burriss for Peggy Gallos, Association of Environmental Authorities to MCMUA regarding AEA Commissioner Survey.

Flyer for Morris County Trail Construction Grant Program – 2017 Community Workshops.

Letter dated April 6, 2017 to New Jersey Department of Environmental Protection from Anthony Milonas, Supervisor of Water Operations, regarding the Disinfectant Residuals Report for M.U.A. for the month of March 2017.

Letter dated April 6, 2017 to New Jersey Department of Environmental Protection from Anthony Milonas, Supervisor of Water Operations, regarding T1 Reports for the Morris County M.U.A. for the month of March 2017.

ENGINEER'S REPORT:

Mr. Holt gave the following updates: (1) Markewicz Electrical Upgrades – Mr. Holt apologized if he steered the Board in the wrong direction; he may have been a little bit premature to recommend the design/build contracting approach. Brent Carney is helping us figure the details out of the statutory authorization. We participated on projects in New Jersey, Department of Property Management Construction and North District Water Supply Commission are all authorized to procure services, construction and engineering in that fashion, but we are not convinced that Morris County M.U.A. would be eligible to do the same. Mr. Maraziti mentioned that is correct; the explicit authorizations that we have looked at so far are school districts and certain other entities have been targeted. There is legislation that has been in the hopper for some time to expand it, but we are looking to make sure that there isn't some other way to go about doing this in the meantime. Mr. Holt does not recommend that we pursue this and his recommendation is to proceed with creating and drafting the RFP to get a design consultant on board to advance the design of the project and enable us to be in a position to bid the project improvements by the end of year.

Mr. Platt asked Mr. Holt if he could give an estimate proposal for preparation of those specs and Mr. Holt replied yes and he will let Larry Gindoff know.

(2) Alamatonig Well No. 8 - The VFD has been installed and tested. Our actual detailed testing will be on April 18th, when we going to start the actual series of tests that will run the well at various flow rates to demonstrate the turbidity control.; (3) 24" Leak Repair – Quotes were received for the repair of the 24" water main on Sussex Turnpike. John Garcia Construction is the low quote and we are recommending award and it will be addressed at next month's meeting.; (4) As Larry Gindoff mentioned, the Water Supply Authority Application did go in and there is a Public Hearing scheduled for Friday, April 21st. This is standard practice for the renewal of our contract.; and lastly, the April 27th meeting with Southeast Morris County M.U.A. It is a good idea that we continue the dialogue. We have good relations there and there may be some opportunities to assist. I agree with Mr. Platt; we will create a more succinct agenda on the key items that should be addressed. Chairwoman Szwak pointed out to the Board the list of items on the agenda and mentioned that this is supposed to be a really important meeting laying the groundwork for the future, so just make sure that list is complete and how it should be prioritized. Mr. Holt mentioned that he will work through Larry Gindoff on the list. He also mentioned that the Clyde Potts situation is an important one to address for 2017; 2021 is the contract expiration and/or renewal

time frame and we really need to have a plan in place on how to either remove ourselves from that quagmire or have a better plan on how we are able to take our contract amount everyday. Mr. Holt mentioned that upon getting a blessing on the RFP, is craft the RFP for design consultant services on the project and maybe meet with the Water Committee to memorialize that before it gets published and soliciting those proposals. We will get that out in the next couple weeks. Chairwoman Szwak asked to be advised when there needs to be a Water Committee meeting.

PROJECT STATUS

1. Markewicz Electrical Upgrades

SCE has communicated with several experts which are recognized by the Design-Build Institute of America and have extensive experience providing A/E-1 services. The A/E-1 service task is referred to as the “criteria consultant,” these architect or engineering individual(s) or organization(s) work with the owner’s project team and other stakeholders to create the performance-based requirements document and the Phase Two RFP. The Phase Two RFP will serve as the basis to engage the firms which will complete the design and construction. The criteria consultant does not refer to the designer of record. We are currently reviewing resumes of such individuals and organizations, as well as been in communication to discuss the specific project details and will work to narrow the final selection. Ultimately interviews may be conducted to finalize the selection.

2. Alamtong Well #8

C&C Enterprises & C.V. Electric, Inc. completed work on the installation of the VFD. Startup and testing of the VFD will be performed by PCS and is anticipated to be completed by April 7th. SCE has prepared a VFD testing scheme which will require the operation of the well at a range of flows between 500 gpm and 1000 gpm and will further enable MCMUA to optimize operations to reduce turbidity blow-off events.

3. General System

A. We received bids on Friday March 31st to complete the repair of the 24” water main leak in Sussex Turnpike. We received a total of six (6) bids for the project. We have reviewed the information provided by the apparent low bidders which included an evaluation of the bid prices, review of the supporting documentation, including references, and required information submitted with the bid. John Garcia Construction, from Clifton NJ was the low bidder in the total amount of \$35,645.00 with J Fletcher Creamer Jr. from Hackensack the second lowest bidder in the total amount of \$37,600 and the third lowest bidder being Reivax Contracting from Newark in the total amount of \$42,279.00. We recommend the Board award the contract to John Garcia Construction in the amount of \$35,645.00.

B. We have submitted our update to the Water Use Application to New Jersey Water Supply Authority, and will be attending the Public Hearing which has been scheduled for Friday, April 21, 2017.

C. We have scheduled a meeting with SMCMUA representatives for Thursday, April 27th to discuss and further resolve the following items, as well as discussing options to work more closely together with their existing resources:

- Clyde Potts WTP: Upgrade requirements for disinfection and for oxidation of cyanotoxins
- MCMUA Pump Station: Discussion of potential upgrade and/or relocation of this pump station for the purpose of serving NJ American.
- Water Supply Agreement
- Joint Contracting for Maintenance
- GIS record keeping

SOLID, HAZARDOUS & VEGETATIVE WASTE REPORT:

Mr. Gindoff commented that he met Glenn Schweizer 30 years ago and has been acting as his right-hand man, working with him closely on most of the projects he worked on in the Solid Waste Division of the M.U.A. I was pretty close with him and in the office he would speak to me about Water and Open Space projects and he certainly took a love to them later in his career. He thanked the Board Members for their support during this transition, they have been wonderful. With that, I want to state my appreciation from me, as well as all our employees, for all you do for the M.U.A. in keeping our Authority acting as an excellent Authority for Water, Solid Waste and Open Space activities for Morris County. He assured everyone that the operation of the M.U.A. is fine at this point, Solid Waste, Water and Administration. Everything is acting as we anticipate and he especially thanked Marilyn and Larry K. for helping him work with Counsel to get this meeting together and get everything approved that we need to do. Mr. Gindoff added that he anticipates that over the next few weeks, months that we will be working with Counsel to make sure that we develop policies to make sure that the M.U.A. will operate in accordance with M.U.A. procedures, County procedures, policies, as well as laws and regulations and you will be adopting a resolution this evening with respect to that in consideration of adopting the County personnel policies as part of the M.U.A.

With regard to the Solid Waste report, Mr. Gindoff mentioned that although he is not thrilled with the whole project, he is pleased that the Air Pollution Control Project was a very competitive and well-participated in bid and the prices that came in were slightly under what we anticipated. After review by Richard A. Alaimo Engineering Company, Mr. Maraziti's firm, as well as Staff, we recommend to award this contract, since we are under an administrative consent order with DEP to get this done, to a company called MBT Contracting of Lincoln Park with a bid of \$2,112, 022.00. A resolution has been prepared to effectuate that approval and we moved the money into the necessary line items earlier this evening. Mr. Gindoff asked for the Board's approval of the Resolution:

**RESOLUTION NO. 17-28
RESOLUTION AUTHORIZING THE AWARD OF THE PAR-TROY
TRANSFER STATION AIR POLLUTION CONTROL SYSTEM
CONTRACT NO. 2016-1 TO MBT CONTRACTING, LLC**

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") published a Notice to Bidders for the receipt of sealed competitive bids for the "Par/Troy Transfer Station Air Pollution Control System Contract No. 2016-1"; and

WHEREAS, in response to the bid advertisement, the Authority received seven (7) bids on March 22, 2017 from the companies listed below at the prices shown:

	<u>Base Bid</u>	<u>Structural Repair/ Stabilization</u>	<u>Total Bid</u>
MBT Contracting, LLC Saddle Brook, NJ	\$1,296,037.00	\$815,985.00	\$2,112,022.00
Dobtol Construction, LLC Hackensack, NJ	\$1,331,880.00	\$843,800.00	\$2,175,680.00
Tomar Construction Group, LLC East Brunswick, NJ	\$1,483,080.00	\$755,400.00	\$2,238,480.00
DMR Construction Services, Inc. Waldwick, NJ	\$1,566,447.12	\$846,807.31	\$2,413,254.43
Iron Hill Construction, Inc. Wayne, NJ	\$1,378,241.00	\$1,048,759.00	\$2,427,000.00

NEIE Construction Services, LLC Denville, NJ	\$1,974,898.37	\$845,101.63	\$2,820,000.00
EACM Corporation Sea Bright, NJ	\$1,497,636.00	\$1,463,600.00	\$2,961,236.00

WHEREAS, the lowest bid in the amount of \$2,112,022.00 was submitted by MBT Contracting, LLC, having a business address at 63 Beaver Brook Road, Suite 104C, Lincoln Park, New Jersey 07035; and

WHEREAS, the bid of MBT Contracting, LLC, being the apparent lowest bidder was reviewed by the Authority's Staff, the Authority's consultant Richard A. Alaimo Engineering Company, and legal counsel Maraziti Falcon, L.L.P. to determine compliance with the bid specifications in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, by letter dated April 4, 2017, a copy of which shall remain on file, Richard A. Alaimo Engineering Company has advised that all material aspects of the bid of MBT Contracting, LLC are satisfied and in compliance with the bid specifications and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., any immaterial defects may be waived by the Authority in its discretion; and

WHEREAS, the Authority's Treasurer certifies that funds are available in the Project Reserve line item 01-1-900-000-128 in order to award Par/Troy Transfer Station Air Pollution Control System Contract No. 2016-01 to the lowest responsible and responsive bidder in the bid amount of \$2,112,022.00.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority as follows: The Authority exercises its discretion to waive all immaterial defects with respect to the bid of MBT Contracting, LLC, received on March 22, 2017.

1. The Authority awards the Par/Troy Transfer Station Air Pollution Control System Contract No. 2016-1 to MBT Contracting, LLC, having a business address at 63 Beaver Brook Road, Suite 104C, Lincoln Park, New Jersey 07035, as the lowest responsible and responsive bidder, in the amount not to exceed the bid price of \$2,112,022.00 and the Acting Executive Director is authorized to execute said contract.
2. The Contract awarded herein to MBT Contracting, LLC shall commence after the execution of the Contract, the submission of the Performance Guarantees and all

required insurance certificates required by the Contract, in a form acceptable to the Risk Manager of Morris County, and after the issuance of a Notice to Proceed.

3. The Authority's staff and consultants are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. With the exception of the bid security for the three lowest bidders, the release of the bid securities submitted by all other bidders for the Par/Troy Transfer Station Air Pollution Control System Contract No. 2016-01 is authorized. Within three days, Sundays and holidays excepted, after the awarding and full execution of the contract awarded herein to MBT Contracting, LLC and the approval of the performance bond, the bid security of the remaining unsuccessful bidders shall be returned to them.
5. A copy of this Resolution shall be submitted to the Authority's Treasurer and kept on file in the offices of the Authority.
6. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on April 11, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Barry made a Motion to award the Par-Troy Transfer Station Air Pollution Control System Contract No. 2016-1 To MBT Contracting, LLC in the amount of \$2,112,022.00 and Mr. Dour seconded the Motion.

Mr. Dour asked what is the timeline for that construction? Mr. Gindoff replied it is to be done in 180 days from the date of the Notice To Proceed. Mr. Dour asked what does the Consent Order say? Mr. Gindoff replied that the Consent Order said that we were supposed to be done just around this time. We have been informing DEP through our required Progress Reports of the delays and the expansion of this project as it has been going on. Mr. Dour asked if there will be any downtime at the transfer station during this construction? Mr. Gindoff replied that we anticipate closing a third of the facility at a time. A big part of this project was the staging. Some of the work that can't be done during operations is going to have to get done overnight and on weekends. We will not be closing the facility at all. Mr. Dour asked if we will have to re-direct waste and Mr. Gindoff replied that we don't anticipate that. Mr. Gindoff mentioned that at this point our transfer stations are both legally allowed to accept waste from any town so it is not like we would have to re-direct per se. Mr. Dour asked is there a range with the tonnages given in the permit? Mr. Gindoff replied that we are permitted to go up 1380 tons per day at Parsippany and 975 tons at Mt. Olive. We don't come

close to our Mt. Olive limit so he doesn't anticipate capacity with our permit numbers being an issue. It is just a hassle for longer lines that the customers might experience because of the construction activity going on.

Mr. Platt asked Larry Gindoff if he is satisfied with MBT's qualifications and experience. Mr. Gindoff replied that we have never used them before and we are more satisfied and comfortable with their three primary subcontractors, especially the air pollution subcontractor, who is using the exact system which was included in our Air Pollution permit with DEP.

Finally, as Brent Carney made us aware, since this project is over the two million dollar threshold, we do have to notify the State Office of Controller that we are entering into a contract over two million dollars. It is just a notice.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Gindoff provided an update on the CipCycle facility in Rockaway Borough. He mentioned that as of this moment, he has still not received any updated application from the CipCycle representative but he did have a conversation with their attorney this morning. Apparently they just received some land use approval last couple of weeks approving some changes to their site so that is holding up their application back to me. The attorney informed me that he had a meeting with his engineer to go over what they owed to me so I could forward an application back to the Borough of Rockaway for their final opinion on this application. He anticipates receiving an application next month and he will forward a letter to Rockaway Borough asking for their opinion on this proposed application, but he believes that it got scaled back at the Land Use Board level.

With regard to medical waste, Mr. Dour asked if Morristown Memorial is being fined? Mr. Gindoff replied that we don't fine them since we are not a fining agency. The DEP is more involved with it than the County Health Department, but they are both involved. He mentioned that the DEP has a substantial notice of violation going against the hospital at this point. Mr. Dour asked if we have anything to detect radioactive waste at the transfer station? Mr. Gindoff replied that we do not have anything at the transfer station, but they have it at the landfill. The first instance occurred at the landfill which set off the detectors. Other biohazard, non-radioactive materials, were also discovered in the garbage at the same time. Morristown Memorial Hospital has issues with radioactive waste, medical waste and recycling. Our office has been working very hard with them to get their recycling programs in place. We also had loads show up from Chilton and St. Clares. Mr. Gindoff mentioned that Morristown Memorial Hospital is undergoing expansion at their facility and their dumpsters seem to move from location to location and they were having trouble policing it. They had a lot of dumping in their containers from people who weren't necessarily working at the hospital at the time, but associated doctors who may have brought garbage to their containers. Chairwoman Szwak asked if we have this under control now and Mr. Gindoff replied that we have not had an incident for two weeks now. He added that he and Bobby Ross and two people from the Health Department attended a meeting last week with the President of Atlantic Health, their janitorial staff and their safety people.

Mr. Gindoff mentioned that when the medical waste came into our transfer station, we would spread the waste out, pick through it and call in DEP. They would halt everything and before you knew it we would have to call Stericycle in the morning to go load all this stuff up; it was a tremendous inconvenience on our activity. Dr. Nusbaum asked for the cost that the M.U.A. has incurred be sent back proportionately to each of these institutions and ask them to pay the County? Mr. Gindoff replied that he told them to anticipate an invoice at some point. He mentioned that J.P. Mascaro has had substantial costs in hiring specialty firms. J. P. Mascaro has been billing them directly for these costs. Mr. Gindoff commented that Morristown Memorial Hospital has done a tremendous job in the last two weeks in stopping this from happening.

Chairwoman Szwak asked that under Open Space, it said the M.U.A. had not received any allocation. Is this the first time? Mr. Gindoff replied that he does not know whether it was the first time. We were not the only entity that did not receive it; there were three or four others. Mr. Druetzler asked who the other entities were. Mr. Gindoff replied the Flood Mitigation Program, the Ancillary Program and the Farmland Preservation. Christine Myers said we need to look into that.

Mr. Druetzler asked about e-waste and you are talking about seven or ten strategically located regional points so if there was a regional point in Denville, Morris Plains would bring their material

to Denville. Mr. Gindoff replied that the way we were talking with the vendor, they have been doing a lot of support of these programs. This company, MRM, spent a lot of money the last several years supporting Morris County and the State does not give them credit for any of it because most of the facilities that are available for e-waste collection are not available to other Morris County residents. If you have an e-waste drop-off in a town, most likely if it is in Denville, then Denville will not allow people from Morris Plains to go there. Therefore, these programs that MRM has been providing, they have not been receiving credit from the State as providing a free program. We want to develop a program where we could establish e-waste drop-offs at different sites in the County but those sites would have to be open to anyone from Morris County to arrive so we are going to have to figure the sites that are available for that.

Also we were discussing the capability of another site, that isn't a regional site to collect e-waste and deliver it to one of the regional sites prior to a collection date. Mr. Gindoff believes that this is our best way to move forward in our e-waste program to make sure that we have a vendor who is going to pick up from Morris County. Mr. Gindoff explained that wherever the regional sites are, you could drop e-waste off. Residents can go to the regional sites or a town who is not a regional site could collect material, accumulate it and then deliver to one of the regional sites, which will be picked up in a large container by the vendor.

Dr. Nusbaum asked if there will have to be public hearings for municipalities or someone to be designated as a regional site or is that going to be contentious? Mr. Gindoff replied that he does not believe that siting is going to be contentious unless he has enough competition amongst the towns fighting to be my regional site. From a DEP perspective, Mr. Gindoff doesn't believe these are regulated solid waste facilities. He anticipates them occurring at municipal recycling facilities as it has been happening for the last seven or eight years.

TRANSFER STATIONS

Tonnage

For the month of March 2017, the tonnage of solid waste accepted at the two transfer stations was 30,050 tons. This monthly tonnage for March 2017 was 6.64% less than the 32,186 tons accepted a year ago in March 2016. For the first quarter of 2017, the tonnage was 0.93% greater than the tonnage accepted in the first quarter of 2016. Based on monthly tonnage disposed of for the first three months of the year, for 2017 the annual total tonnage disposal is still trending ahead of 2016 and is currently projected to be 406,167 tons. If this projection holds true, 2017 tonnage would be 6.11% more than the 385,849 tons accepted in 2016. Please refer to the Transfer Station Disposal Report by Month for additional information.

Air Pollution Control System Installation – Parsippany Transfer Station

Regarding the bid for the Air Pollution Control (APC) system installation at the Parsippany Transfer Station, on March 22, 2017 bids were received from seven (7) firms. The bid prices submitted ranged from a low bid of \$2,112,022 by MBT Contracting, LLC of Lincoln Park, NJ (MBT) to a high bid of \$2,961,236. Richard A. Alaimo Engineering Company (Alaimo) designed the proposed APC system, prepared the bid specifications and provided a pre-bid engineer's cost estimate in the amount of \$2,181,300. The low bid submitted by MBT was \$69,278 less than then engineer's estimate and was relatively close to the second and third bids submitted. This bid had very good participation, was very competitive and came in very close yet under the engineer's estimate.

In a bid evaluation report dated April 4, 2017 prepared by Alaimo, MBT was recommended as the bidder for whom the contract should be awarded. A copy of the Alaimo bid evaluation report has been attached to this report. The scope of this project kept expanding as issues related to the condition of the building and its ability to support the infrastructure of the APC system materialized as the system was being designed. As such, while the bids submitted were in line with the engineer's pre-bid estimate, the project cost is significantly over what was budgeted prior to the completion of the full design of this construction project. Initially the MCMUA had budgeted about \$1.5 million for this project and also put aside about \$300,000 in its capital budget for project contingencies. The remaining approximately \$300,000 for this project is available and will come from the MCMUA's solid waste reserve funds. As these bids were generally in line with the engineer's estimate and as the MCMUA has an administrative consent

order with NJDEP to install the APC system, it is the MCMUA staff recommendation that the Board award this contract to MBT in accordance with the engineer's and counsel's review and recommendation of the procurement documents. Additionally, a post award notice form from the Office of State Comptroller (OSC) will have to be completed and submitted to the OSC with all attachments required by the form within 20 of the award of this contract. For the April 11 meeting, a resolution will be prepared by counsel for consideration by the MCMUA Board that awards the APC system contract to MBT.

Operational Matters

Medical Waste Disposal – Over the past weeks, several instances of waste containing regulated medical waste and/or radioactive materials from local Morris County hospitals have been detected in loads tipped at the Parsippany transfer station. The MCMUA transfer stations are not permitted to accept these types of materials and it is disruptive to the operations when discovered. Additionally, unacceptable mandated recyclable materials have also shown up in several of these hospital loads in addition to regulated medical waste. The Morris County Office of Health Management and the NJDEP, in cooperation with the MCMUA, have been working on getting the hospitals in compliance with respect to the medical waste and the MCMUA has actively been working with the hospitals on dramatically improving their in-house recycling programs. After several non-compliant loads arrived in early March, the end of the month ended quietly with respect to this matter. The MCMUA hopes the corrective actions implemented at the hospitals have had a positive impact on their waste streams.

SOLID WASTE MANAGEMENT PLAN

Administrative Action Modification for CipCycle Inclusion of Class “A” Recycling Facility in the Borough of Rockaway

As of the writing of this report, there is no new activity on this matter with respect to the application before the MCMUA and County for Plan inclusion. A meeting between MCMUA and CipCycle to discuss revisions to the CipCycle application for Plan inclusion of its proposed class “A” recycling facility was conducted on March 6, 2017. It was expected that the applicant would revise its site plan and accompanying narrative describing the proposed operation of CipCycle following discussions at this meeting. CipCycle is continuing to work its way through the Rockaway Borough Land Use Board approval process and will have to base its revised application back to the County on whatever is agreed to at the local Land Use Board. The revised application would then be forwarded back to Rockaway Borough's governing body for its consideration prior to providing the County with a resolution setting forth the municipal position on the Plan inclusion request.

Electronics Recyclers International, Inc. (ERI) Plan Inclusion Request – Class “D” Recycling Facility, Lincoln Park

In response to a letter dated January 26, 2017 from the MCMUA, the Borough of Lincoln Park adopted a resolution on February 21, 2017 providing its support of the Plan inclusion request by ERI for a class “D” recycling facility. The proposed class “D” recycling facility would allow ERI to disassemble electronic waste into component parts for distribution to a variety of down-stream recycling markets. With the exception of the shredding hard-drives, there is no proposed grinding, shredding or extensive processing of the E-waste other than disassembly and baling/consolidation of such materials.

Approval of the Plan inclusion request for this facility will require SWAC review followed by adoption of a Plan amendment by the Board of Chosen Freeholders. A SWAC meeting to hear this matter is scheduled for April 17, 2017 and if approved at that meeting, a hearing would be established for the Freeholders to consider a Plan amendment including the ERI facility. Additionally, after SWAC approval, a resolution providing the MCMUA's recommendation to the Freeholders would be presented for the Board's consideration. This may occur at the May MCMUA Board meeting if the SWAC moves on this matter at the April meeting.

HOUSEHOLD HAZARDOUS WASTE MANAGEMENT

Program Participation – During March 2017, a total of 130 residents and businesses delivered waste to the permanent household hazardous waste (HHW) facility in Mount Olive. This is exactly the same participation as was experienced in February 2017 when 130 participants also used the facility. March 2017's participation represented an increase from last year when only 109 participants used the facility in March 2016.

Future Programs - The MCMUA has scheduled three HHW events for 2017 as it did in 2016. A spring and a fall program will take place at the Public Safety and Training Academy, one on June 3 and the second on September 23. A third program will take place at Pequannock Valley Park on October 28. This is a new Pequannock Township location selected after logistical challenges at the previous Pequannock Township location required us find a better Pequannock site.

E-Waste Recycling in Morris County – The MCMUA E-waste contract terminates at the end of July and the MCMUA will be going out for a request for quotations to recycle the E-waste Morris County collects as part of New Jersey's Electronics Management Act. The MCMUA's current E-waste recycler, MRM, currently provides E-waste recycling under our contract for the recycling of the MCMUA's E-waste it collects at both the permanent HHW facility as well as at the HHW Disposal Days. Additionally, MRM stepped up and provided E-waste collection and recycling from many Morris County municipal recycling depots after several local E-waste vendors stopped providing this service years ago. The MRM's expansion to cover the municipal recycling depots is not covered in our contract but was provided by MRM at no cost to the MCMUA or participating Morris County municipalities, yet it was at a great cost to MRM. As a result, Morris County collected and recycled more E-waste in the recent years than any other New Jersey county. In an effort to make the program more efficient and more sustainable, the MCMUA has discussed a program where the MCMUA would work with municipalities to establish a limited (7-10) number of strategically located regional collection points for E-waste throughout Morris County and we would incorporate all these collection locations under the MCMUA's E-waste contract. Additionally, Morris County would transition its program to phase out E-waste collection at one-day HHW events after 2017 in order to accommodate a larger scale and more efficient county-wide collection system by the selected E-waste vendor. The MCMUA feels this type of RFQ would result in proposals that would provide no-cost E-waste recycling throughout all of Morris County for the next few years.

VEGETATIVE WASTE MANAGEMENT – March 2017

Facility Report – A copy of the Vegetative Waste Management Report has been attached to the Solid Waste Report showing the materials accepted and marketed during March 2017. Due to the cold and inclement weather, the quantity of materials managed at the facilities was below those levels handled in March 2016. Residential deliveries of compost and mulch are scheduled to begin on April 17, 2017. Staff has started taking delivery order as of March 13. The pricing for this delivery service remained the same for 2017 as it was in 2016. The price for the residential delivery of screened compost is \$135 for 5 c.y. and \$200 for 10 c.y. and wood mulch delivery costs \$130 for 5 c.y. and \$190 for 10 c.y. To screen compost and produce a very high-end product, the MCMUA intends to rent an M2 Star Screener from mid-August through mid-October (1 month at each facility). The MCMUA budgeted for this rental.

OPEN SPACE PRESERVATION

County Open Space Trust Fund Board – Larry Gindoff attended the March 30 reorganization meeting of the Morris County Open Space Trust Fund Committee as the representative of the MCMUA. At the meeting, Mr. Gindoff was elected Vice Chair of the committee. An overview of previous projects was provided as far as their status. Some projects already closed from last year's funding round and others are very close to closing which is good news. At this point, this year's application for open space proposals is available and the committee should get busy again in the fall when requests for grants are completed and presented to the committee for consideration.

For 2017, the Freeholders approved maintaining the 7/8 cent rate and the same allocations as 2016. The MCMUA did not receive any allocation in this year. The Untermeyer Lake project in Kinnelon was closed in March which the MCMUA was a funding partner. Likewise, the final paperwork for closing the Heritage Homes project in Washington Township is being processed which is a joint project between the Park Commission, the MCMUA and the Land Conservancy of New Jersey. Finally, the committee was informed about a relatively new Morris County Trail Construction Grant Program that the county established to help municipalities apply for money to help improve and/or maintain their trail network. The county is holding two information sessions this spring for potential participants.

RECYCLING REPORT:

Ms. Hourihan mentioned that she has two updates pertaining to ReCommunity. One is a market update because markets have been interesting lately. In January and February, we had some nice pricing at about \$9.00 and \$12.00 a ton on single stream. The March statement was just received this morning and the pricing shot up to \$23.00 a ton. But then she received a call from a regional contract manager letting her know that unfortunately, that is very short-lived and that the paper component, which all paper, except cardboard, (so no bottles and cans and no cardboard, and everything else is in one commodity called residential fiber,) that price went up to \$154.00 a ton in the month of March, but it has now plummeted to \$50.00 a ton, which is lower than it was before. That took about three weeks to plummet like that. ReCommunity has a hard time moving it now and they might rent some storage facilities to store some of the material until they can move it better. Since that component of single stream is about 45% of the weight of a ton, that loss of \$100 a ton is going to bring our price down to about negative \$4.50. So it would go from a positive \$23.00 down to a negative \$4.50. She does not know if that price will hold or for how long. Sometimes when we have big fluctuations like that in a short period of time, they might correct themselves and go back up a little bit. The contact from ReCommunity is trying to get an explanation about why that is happening. It is really the China market and exporting to China. It is not the domestic markets that are having this fluctuation. China implemented something in 2014 called "Green Fence". They have had phases of "Green Fence" where they have had different restrictions on it. They now have something called "Green Sword" and it is further restrictions on imports so he thinks it might be tied to this so we will have to see how long this is.

Dr. Nusbaum asked if this has anything to do with single stream and contamination of some of the paper that you spoke of some months ago where it is independent of contamination of the whole recycling load? Ms. Hourihan replied yes; our regional contact just came to our municipal coordinator's meeting that we had in March and he once again reiterated how the material that comes from Morris County and their facility in Morris County is some of the cleanest material, if not in New Jersey, in the Country. Our contamination rates continue to stay low.

The other update regarding ReCommunity is our regional contract manager will no longer be working for ReCommunity. He is moving onto another opportunity and he has been with ReCommunity for twelve years. He really enjoyed the excitement of switching everyone over to single stream and the challenges that were there. His name was Bob Anderson and he was a reliable resource for us and he will be missed. We will get a new regional contract manager going forward.

Dr. Nusbaum mentioned that we spoke about the brochure that is being given out in Ocean County and we spoke about Morris County adopting that format to have a publication of what we do in solid waste and recycling made up. Have you made any progress on that? Ms. Hourihan replied yes; Chris Vidal of our office does our layout work for us and she has started putting it together. When she put it all in there, it came out to 24 pages and we were shooting for more like 12 pages so we have to re-size a lot of things, so she has gotten work underway with that. Mr. Gindoff added that we introduced the concept to the municipal recycling coordinators at the most recent meeting, telling them how we will be doing the legwork for much of the educational materials that they could distribute to their towns and slide in the specific things for their towns that are applicable to them, so the generic stuff that applies to much of Morris County should be contained in what we are putting together. Ms. Hourihan added that we want to use this first year as a trial run to see how much it costs and how much of the grant money can we put toward it and how many can we get printed which, with 39 towns and distributing them, we can't get one to every household. Once everyone sees what is in there, and they can decide how they can best use it in their town and that

will give them planning for the following year to see if they want to pay to have additional copies made of it. We are going to work it out as a test case this year.

Mr. Druetzler mentioned that Morris Plains got a Clean Communities Grant and they put together a brochure on recycling and he will send Kathleen a copy. Kathleen replied that's great; I would like to see it.

Recycling Operations

Revenue and Tonnage – The February statement was received from ReCommunity on March 8 and finalized on March 30 in the amount of \$15,072.47, very close to the amount received in January. The price per ton of single-stream actually increased from January to February from \$9.55/ton to \$12.79/ton, however the tonnage in February was lower than January, resulting in the similar payment.

Tonnage collected by the MCMUA for recycling during March was 1,236 tons. The monthly tonnage is shown by material and by customer on the attached report.

Snow Effecting Collection - The second snow storm of the winter, which caused the cancellation of recycling collection, was on Tuesday, March 14. A make-up collection for Hanover took place on Thursday, March 16. Morris Plains did not want to schedule a make-up collection, since their collection is now weekly. As for handling snow covered, open-top roll-off loads from recycling centers, between the two major snow storms this winter, on February 9 and March 14, we managed to get by with having to dispose of only 3 loads of recyclables. Staff worked to coordinate the loads to minimize the losses. Additionally, little by little, between the MCMUA and the towns, we are getting more loads covered by a variety of covering options. For comparison, from 2014, the first year with snow rejected loads, to 2017, below is the tonnage comparison for tons disposed as garbage. Of note, the severity of winter snow factors heavily in these numbers.

2014	72.6
2015	130.2
2016	30.3
2017	5.7

Curbside Recycling Proposal for the Town of Dover – Staff is currently preparing a proposal to present to the Town of Dover for curbside recycling collection services. The Town's current contract ends on May 31, 2017 and is seeking bids for options for garbage collection and/or recycling collection.

Curbside Recycling Contract for Long Hill Township – Staff reached out to Long Hill Township regarding their next curbside recycling contract. The Township is currently in their second year of a five year contract with options for the fourth and fifth years (2019 and 2012). The third year will end December 31, 2018.

Boat Shrink Wrap – The roll-off container to collect boat shrink wrap for recycling was delivered to Lee's County Marina on Friday, March 31. It was already half full after the first weekend.

Safety Assessment of MCMUA's Compactor Units – Every two years, as part of the County safety assessment program, all of the MCMUA's sites have safety assessments performed. This year, staff requested an additional safety assessment for all of the stationary and self-contained compactors that the MUA owns and have in use at various sites. In total, the MUA owns 9 compactor units which are located at 6 different sites. During March, the assessments were performed and the final report was provided on March 23. Overall, the improvements to be made are minor and mostly pertain to updating the warning labels on the units. Staff is working through the list of recommended improvements.

Events/Education/Miscellaneous

Clean Communities – The Clean Communities Environmental Student Exchange was held on March 23 & 24 in Toms River. As in past years, the MCMUA Clean Communities program has

sponsored a class from the Frelinghuysen Middle School to attend the program. The 12 students participated in a litter clean-up and saw two educational presentations. The students had worked on litter abatement projects prior to the event. During the event, the students worked with students from other schools around the state to share their work by creating display boards and giving presentations. Also, during March, staff placed an order for 6 waste stations (paired receptacles for garbage and recyclables) to be placed at various outdoor locations around the County Administration building and one at the Morris County Library. The waste stations are the same type that was ordered last year for outside the MCMUA offices. Educational Programs: The MCMUA funded nine education programs in March at schools in Chester Borough, Florham Park, Lincoln Park, Long Hill, Mt Arlington, Pequannock and Rockaway Borough and at the Clean Communities Environmental Student Exchange in Tom's River. Also on March 29, staff attended a presentation of a new education program called Oceans Rock at the Montville Public Library. Staff was there to evaluate the program as a potential new program to offer to schools and other children's programs. Road Clean-ups: The MCMUA's own curbside crew did a clean-up on March 2nd. The clean-up took place on a portion of Sussex Turnpike from Canfield Avenue to Calais Road. Also, the MUA assisted with a group that did a river clean-up in Rockaway by providing bags and gloves.

2017 Awards Luncheon – The awards luncheon is scheduled for Friday, May 12 at the Frelinghuysen Arboretum. So far, several of this year's awards recipients have been notified, speakers for the morning meeting are being scheduled and the order for the lunch caterer has been planned.

2016 Municipal Tonnage Grant Reports – Since the end of January, the MCMUA has been receiving county-wide reports from recycling companies and generating our own reports for the municipalities. These reports, so far about 30 in total, are posted on the MCMUA's web site for the municipal recycling coordinators to view and download to obtain the tonnage that was generated in their town. So far, one municipal tonnage report has been submitted. The deadline for submission is April 30.

Recycling Inspections/Outreach – During March, a total of 33 transfer station loads suspected of improperly containing mandated recyclable materials were photographed and written-up by MCMUA tipping floor inspectors and recycling staff.

- On March 6, yet another load of waste received from Morristown Hospital contained both medical waste and bottles and cans. The solid waste report contains a more detailed explanation of the hospital's waste matter.
- On March 7, staff contacted SMB Corporation, the facilities services company for Johnson and Johnson in Morris Plains as a result of corrugated having been delivered to the transfer station. From the photos it appears there was an air filter replacement project and the old filters were put into the new filter boxes and disposed as garbage.
- On March 8, recycling staff attended an operating room waste segregation training class at St Clare's Hospital in Denville. The class was given by Stericycle to 24 operating room nurses. On February 28, a load of garbage containing medical waste from St. Clare's was received at the Parsippany Transfer Station. Some of the medical waste was traced back to the operating room. Other departments at the hospital will also receive the same training. MUA staff explained to the group the hazards medical waste poses to people that have to handle the waste and discussed mandated recycling since recyclables were also found in the load. Staff is assisting with education about recycling in the hospital by designing a poster for them.
- On March 15, a load garbage with medical waste and recyclables was received at the transfer station, this time from Chilton Hospital, which is part of Atlantic Health Care System, which includes Morristown Medical Center. Staff has a follow-up meeting in early April with this hospital.
- Overlook Apartments in Mt Olive has been having garbage, hazardous waste and recycling issues for many years. Staff met with the management of this complex at the end of February and again on March 30. The complex has been having health violations from the Township, due to trash bags on the ground. Additionally, the management keeps changing the way residents are to dispose of waste and recyclables and currently allows residents to put their recyclables in plastic bags. The contracted garbage hauler is to go through the bags to remove contaminants. It appears the Township has given the complex approval for this system, but it does not appear to be working. Over the last few months, the complex has constructed about 19 new disposal areas throughout the complex, which have concrete pads

and fences and are very nice. However, much more education is need about recycling, since we continue to see loads of garbage at the transfer station mixed with recyclables.

Nixon Elementary School in Roxbury and the Roxbury School District – On March 1, staff gave a presentation to 10 students from the Green Team. The students created posters, one for trash and one for recycling, to be posted above receptacles and to be put on display. Staff

suggested that the Green Team create a video about recycling and provided a script for them to use for the filming.

Pequannock Township School District – On Tuesday, March 7, staff gave a presentation at a faculty meeting of the high school at the request of the Principal. The presentation was an overview of single-stream recycling and the results of the waste audit done on February 27.

On Wednesday, March 8, at North Boulevard Elementary School, staff, along with the Principal and a teacher on the Green Team, did an assessment and audit of garbage and recycling and labeled containers and posted flyers. The audit was done of the lunchroom waste. While there, staff as able to give the head custodian an overview of single-stream recycling.

The following week, on Tuesday, March 16, staff, along with the Principal, a member of the Environmental Commission and 4 teachers from the Green Team, conducted an assessment and audit at the Pequannock Township Middle School.

Glass Recycling Committee – Staff is involved with a Glass Recycling Committee formed through the County Recycling Coordinators and through the Association of New Jersey Recyclers (ANJR). This committee got a brief start in 2015, but then lost its momentum. Staff got the committee restarted with a survey and a meeting held on March 21. Members of the committee include representatives of 4 different companies which operate recycling facilities, 5 counties, ANJR and the NJDEP. The survey of the counties only yielded responses from about ½ of the counties. Staff is seeking data on glass tonnage from the counties and what is being done with the glass. The economics of glass and the end uses for it are both poor. The purpose of the committee is to assess the problem, and assess alternatives to achieve higher and better end uses for glass and hopefully improve the economics.

Event Containers – The MCMUA’s event containers for recycling and garbage were not borrowed by any organizations during March.

Updating Municipal Recycling and Garbage Information on MCMUA Website – In early March, staff sent an email to each town with the garbage and recycling information that is posted on www.mcmua.com about each respective town. Staff asked the town coordinator to review and update the information and return it to us. As of the end of March, 19 of 39 towns have provided their updated information and the MUA website has been updated accordingly. Staff will follow-up with the remaining towns.

Miscellaneous Presentations/Meetings/Conference Calls/Correspondence

- On Thursday, March 2, Liz Sweedy participated in a “speed mentoring” event sponsored by the NJDEP and held at the Pequest Fish Hatchery in Oxford. There were 11 Americorps NJ Watershed Ambassadors who were the mentees. Each mentor spent 20 minutes with each mentee and discussed their aspirations and goals.
- On Friday, March 3, staff visited several of the locations in Pequannock for which we have supplied dumpsters for recycling. Most of those locations were schools. Staff inspected the contents to see how clean the recyclables were. Additionally, staff logged the serial numbers at these sites. Staff is trying to do a better job of tracking our inventory of containers (dumpsters and roll-off) to ultimately create and maintain an inventory database.
- On Tuesday, March 21, staff gave a presentation to 25 fourth graders of the recycling club of Knollwood Elementary School in Parsippany. The club’s teacher advisors requested that the talk be about recycling with a focus on paper.
- Also on March 21, staff attended an ANJR board meeting at the Eco Complex in Burlington County.
- On Thursday, March 23, staff attended a webinar hosted by the Glass Recycling Coalition (GRC) and the Northeast Recycling Council (NERC) titled “*Partnerships to Make Glass Recycling Work.*”

- On Friday, March 24, staff spoke to 27 librarians at the municipal public libraries meeting held at the Parsippany Public Library. The talk was about solid waste, recycling, Clean Communities and household hazardous waste.
- On Tuesday, March 28, staff held a municipal recycling coordinators meeting in Roxbury. The Roxbury DPW was gracious and allowed us to use their meeting room. This location worked out well, since staff had arranged for a tour ReCommunity’s facility, following the meeting. The Roxbury DPW is only 2 miles from ReCommunity. The tour was good for new coordinators and for other coordinators to see the new bottle and can sorting line, including the new optical sorters for plastics. Additionally, at the meeting staff spoke about various topics and two guest speakers talked about collecting unwanted text books and library books from schools and Bob Anderson from ReCommunity showed a preview video of the tour and discussed how market pricing has improved.
- On Thursday, March 30, staff attended a webinar hosted by the EPA titled “*Reducing and Recovering Wasted Food in Schools: Lessons from the Cafeteria Line.*”

ATTORNEY REPORT:

Mr. Maraziti asked Mr. Hudzik to excuse himself as we are going to be discussing a matter that Judge Nergaard is involved in.

(Mr. Hudzik stepped out of the meeting at 8:02 p.m.)

Mr. Maraziti mentioned that the Resolution before you is what Brent Carney has been trying to get done for three years to get the M.U.A. out of that case. There has been nothing that we have had to produce but getting all of these parties to agree to sign the documents to get us out of the case has been incredibly difficult. He explained that it doesn’t do anything for our rights other than to get us out of court. The case will go on with respect to the other parties but it gets us out of the case. Mr. Druetzler asked that without prejudice means that they can come back at us and Mr. Maraziti replied yes. Mr. Druetzler asked you couldn’t get it with prejudice? Mr. Maraziti replied that Mr. Carney tried very hard to get it with prejudice and it was an hour and a half in the jury room with lawyers trying to get this done, we tried, but the chances that they will come back with something are extremely remote, but this is the deal. After the update, Chairwoman Szwak asked for the Board’s approval of the following Resolution:

**RESOLUTION NO. 17-29
RESOLUTION APPROVING CONSENT ORDER DISMISSING ALL
CLAIMS AGAINST THE MORRIS COUNTY MUNICIPAL UTILITIES
AUTHORITY, WITHOUT PREJUDICE, IN
MORRIS COMMONS, LLC v. TOWNSHIP OF ROCKAWAY, ET AL.,
DOCKET NO.: MRS-L-3271-07**

WHEREAS, on June 6, 2014, the Court granted the motion of Plaintiff, Morris Commons, LLC to add several municipal defendants as well as the Morris County Municipal Utilities Authority (“MCMUA”) and the Southeast Morris County Municipal Utilities Authority (“SMCMUA”) as defendants for the purpose of potentially providing water to facilitate the construction of inclusionary developments within the Township of Rockaway; and

WHEREAS, on May 5, 2015, the MCMUA adopted Resolution No., 15-30 entitled “Resolution Conditionally Approving Amended Water Supply Agreement between the Southeast Morris County Municipal Utilities Authority and the Borough of Wharton” which provides that SMCMUA will sell water it purchases from MCMUA, up to a maximum of 500,000 gallons per day, to the Borough of Wharton so that it can be wheeled out of MCMUA’s current utility system

and into the Township of Rockaway for a new water connection that has since been installed for the Pondview affordable housing development; and

WHEREAS, none of the water to be sold by SMCMUA to the Borough of Wharton for the above purpose is drawn from any well-field or well of SMCMUA, but rather such water is drawn entirely from MCMUA wells and transmitted to the Borough of Wharton through MCMUA transmission mains; and

WHEREAS, the aforementioned Resolution conditioned its approval on NJDEP concluding in writing that MCMUA does not have a water deficit on a daily, monthly and annual basis to the satisfaction of the MCMUA; and

WHEREAS, NJDEP issued a letter received by the MCMUA on July 6, 2015 stating, in relevant part “[e]nclosed is a revised Deficit Surplus Table which shows that MCMUA is not in deficit” and by letter dated July 9, 2015, the MCMUA expressed its written satisfaction, thereby satisfying the aforementioned condition of Resolution No. 15-30; and

WHEREAS, since July 2015 the MCMUA has made an effort to be dismissed from the litigation by way of Consent Order and counsel has participated in a number of case management conferences in which the same was discussed; and

WHEREAS, on March 3, 2017 the parties appeared in Court and counsel for the Plaintiff, Morris Commons outlined a form of Consent Order that was subsequently circulated to the parties; and

WHEREAS, the attached Consent Order, entitled “Consent Order Modifying April 5, 2013, August 18, 2014 and August 29, 2014 Orders and Dismissing Certain Defendants Without Prejudice” includes the revisions made by a number of parties after March 3, 2017 and states, in relevant part: “Any and all claims and cross claims pending against the defendants Town of Dover, Borough of Wharton, Morris County Municipal Utilities Authority and Southeast Morris County Municipal Utilities Authority in the above-captioned matter are hereby voluntarily withdrawn and dismissed without prejudice and without costs to any party in consideration of the terms of this Consent Order.”

NOW, THEREFORE, BE IT RESOLVED by Morris County Municipal Utilities Authority as follows:

1. The Authority approves the attached Consent Order, entitled “Consent Order Modifying April 5, 2013, August 18, 2014 and August 29, 2014 Orders and

Dismissing Certain Defendants Without Prejudice” and authorizes General Counsel to execute the same in substantially the form attached hereto.

2. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at a Regular Meeting held on April 11, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Druetzler made a Motion to approve the Consent Order dismissing all claims against the MCMUA and Mr. Dour seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

(Mr. Hudzik re-entered the meeting at 8:04 p.m.)

Dr. Nusbaum thanked Mr. Maraziti for all his hard work.

Mr. Maraziti mentioned that the next resolution he is going to yield to Special Labor Counsel, Steve Trimboli, Esq. Chairwoman Szwak mentioned that Mr. Trimboli is our interim personnel and labor counsel. Mr. Trimboli mentioned that the resolution they were asked to put together is based on what has been reported to me is that you have followed the County Policy Manual to the extent that obviously applies here to the employees of this agency as your policy manual rather than adopting one on your own. We wanted to make sure that was done officially and does not know if there was an actual action taken this year to re-affirm that, so what we have put together is a resolution that would have you formally adopt the County Policy Manual as your personnel policy manual again except for anything that would apply to a Freeholder list employee or employees that you would not employ. We included a provision that calls for annual review of the policy manuals because laws change, mandatory provisions and policies change and you need to update those as you go forward. This way it is clear that these are the policies that guide your personnel.

Mr. Druetzler asked if this will be done on a yearly basis at Reorganization and Mr. Trimboli replied yes.

Dr. Nusbaum asked would you come in as a consultant on a yearly basis or do we go through County attorney first and then see if there are any applicable changes to this Board that is different than the County. Mr. Trimboli replied that he would foresee a blended approach to that. If you wanted us to do that, we would review the manual for concerns specific to you, but also follow the County policy, use that as the guide similar to what municipalities and the JIF do. They get the formal manual from the JIF and then their local attorneys will make changes that our necessary or appropriate to their particular municipality. So this way you would get the best of both, you would have the County as the general guide plus tailored to what your specific needs may be.

Mr. Druetzler mentioned that during the year, being on the Freeholder Board, there would be times where new policies were issued or something came up or some law was changed, so we could get those copies sent over here and see if they apply to us.

Mr. Dour asked if right know there is nothing that would be an issue with as far as adopting the County policy. Mr. Trimboli replied no. Christine Myers commented re-adopting. Mr. Druetzler commented that we have always used it but no formal adoption. Christine Myers asked as a matter of course didn't you get the updates. Mr. Gindoff mentioned that the M.U.A. definitely gets all the policy updates and we pass them to all the staff.

Chairwoman Szwak asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-30
RESOLUTION REGARDING ADOPTION OF MORRIS COUNTY PERSONNEL
POLICIES AND PROCEDURES MANUAL AS THE POLICY MANUAL OF THE
MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Morris County Municipal Utilities Authority (MCMUA) has relied upon and followed the personnel policies and procedures contained in the Morris County Personnel Policies and Procedures Manual, and the personnel policies contained therein, as the basis of the MCMUA's personnel policies and procedures; and

WHEREAS, the MCMUA seeks to reaffirm its reliance upon and adherence to the personnel policies and procedures contained in the Morris County Personnel Policies and Procedures Manual for use with respect to the MCMUA's employees; and

WHEREAS, the MCMUA Board has determined that it is in the public interest to readopt the Morris County Personnel Policies and Procedures Manual as containing the personnel policies and procedures applicable to MCMUA employees.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 11th day of April, 2017, as follows:

1. The MCMUA Board hereby adopts the current version Morris County Personnel Policies and Procedures Manual, in effect as of this date and currently in use by the County of Morris, and the personnel policies contained therein, as the personnel policies and procedures applicable to MCMUA employees, excluding only those specific personnel policies and procedures that by their terms or nature are applicable only to employees of County government.
2. The MCMUA Board hereby directs that all of its personnel policies and procedures be subject to annual review, amendment and update as may be appropriate, and as may be necessary to comply with new developments and requirements of applicable law.
3. A copy of this resolution and the proposal shall be on file and available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey, 07869.
4. A copy of this resolution shall be published once in the official newspaper of the MCMUA.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on April 11, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to adopt Resolution Regarding Adoption of Morris County Personnel Policies And Procedures Manual As The Policy Manual Of The Morris County Municipal Utilities Authority and Dr. Nusbaum seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

PUBLIC PORTION:

There being no comment from the Public, this portion of the meeting was closed.

OLD BUSINESS:

Mr. Gindoff mentioned that the M.U.A. has lease with AJACO Towing, who won an auction to use some of our transfer station property at our Par-Troy transfer station to supplement their towing activities, which is next door to our Par-Troy transfer station. They were required to submit some site plan reviews to the Township of Parsippany, which wasn't going too quickly. However, over the last several months, Glenn has advised them that if they don't get that in, the M.U.A. is going to cancel the lease. He heard that on March 30th, they filed their application with the Township.

Dr. Nusbaum asked if that is all on pervious coverage. Mr. Gindoff replied that is what they are applying for with the Township of Parsippany and they are going to put down some QP material. Dr. Nusbaum expressed concerns of any oil spillage from their trucks and a liability that the materials can go into the sub-surface water and the M.U.A. should not have a liability for any of that. Mr. Druetzler commented that you could put that in the lease that they are responsible for that.

Mr. Gindoff added that he anticipates that their application will go through and the M.U.A. will continue the relationship with AJACO Towing. Mr. Maraziti commented that Dr. Nusbaum's concern is a concern as Owner of the property, we will be liable and will be attentive to that issue.

Chairwoman Szwak asked for the Board's approval of the following Resolution and Mr. Gindoff mentioned that this is the agreement to have the Park Commission patrol our trails that we allow people to walk through.

**RESOLUTION NO. 17-31
RESOLUTION TO APPROVE AND AUTHORIZE EXECUTION OF
RECREATIONAL TRAIL LICENSE AGREEMENT**

WHEREAS, the Morris County Park Commission ("Park Commission") has requested that the Morris County Municipal Utilities Authority ("MCMUA") grant to the Park Commission the right to develop, maintain, and manage a recreational trail across property owned by MCMUA in Randolph Township; and

WHEREAS, MCMUA is agreeable to the proposal and has the right and authority to convey interests in real estate pursuant to N.J.S.A. 40:14B-20; and

WHEREAS, MCMUA finds it to be in the public interest to execute a license agreement in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey on this 11th day of April 2017 as follows:

1. The Chairwoman is authorized and directed to execute the agreement with the Park Commission on behalf of MCMUA in the form approved by MCMUA hereby.
2. This Resolution shall take effect immediately.

C E R T I F I C A T I O N

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting held on April 11, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to Approve and Authorize Execution of Recreational Trail License Agreement and Mr. Platt seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Mr. Gindoff gave an update on the Wharton Woods trail restoration. He mentioned that this is the property that John Crimi's company used to transverse some of our property and when they are done using it, they have to restore our trails. When we last contacted them at the end of March, it was still wet out there for them to do it, so they assured us as soon as the weather gets better, that they have not forgotten us and they will do the restoration of those trails.

Chairwoman Szwak mentioned the Water Plan that Glenn introduced last meeting, the Board wanted to take out Dan Van Abs. She mentioned that she got a revised proposal by the eLand Conservancy and they revised the proposal based on our comments. This will be discussed at next month's meeting.

Mr. Druetzler asked what is happening with the Coliform Rule. Mr. Holt replied that he does not have a final status on that but will let the Board know.

There being no further Old Business, this portion of the meeting was closed.

NEW BUSINESS:

Marilyn Regner informed the Board that the Financial Disclosure Statements will be emailed to them from Laura Roberts of the County Clerk's Office at the end of this week or the beginning of next week. The deadline for submitting them is April 30, 2017.

There being no further New Business, this portion of the meeting was closed.

Chairwoman Szwak asked the Board for a Motion for the meeting to go into closed session at 8:15 p.m. regarding attorney-client privilege.

MOTION: Mr. Dour made a Motion for the meeting to go into closed session at 8:15 p.m. and Dr. Nusbaum seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Chairwoman Szwak asked for a Motion for the meeting to go into open session at 9:10 p.m.

MOTION: Mr. Dour made a Motion for the meeting to go into closed session at 9:10 p.m. and Mr. Druetzler seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Chairwoman Szwak asked for the Board's approval of the following Resolution:

RESOLUTION NO. 17-32
RESOLUTION TO AWARD PROFESSIONAL LEGAL SERVICES CONTRACT
FOR LABOR COUNSEL

WHEREAS, the Morris County Municipal Utilities Authority (the "Authority") issued an Invitation to Submit Proposals for professional Labor Counsel services to be provided to the Authority from April 11, 2017 to February 6, 2018; and

WHEREAS, the Authority received four proposals based on the criteria outlined in the Invitation to Submit Proposals from the following law firms:

1. DeCotiis, Fitzpatrick, Cole & Giblin, LLP
Glenpointe Centre West
500 Frank W. Burr Boulevard, Suite 31
Teaneck, NJ 07666
2. Schneck Price Smith & King, LLP
220 Park Avenue
Florham Park, NJ 07932
3. Schwartz Simon Edelstein & Celso LLC
100 South Jefferson Road – Suite 200
Whippany, NJ 07981
4. Trimboli & Prusinowski, LLC
268 South Street
Morristown, NJ

WHEREAS, the Executive Committee reviewed the proposals based on criteria outlined in the Invitation to Submit Proposals and has recommended that the contract for professional labor counsel services be awarded to the firm of Trimboli & Prusinowski, LLC which meet or exceeded all criteria; and

WHEREAS, the Board has considered the recommendation of the Executive Committee and upon deliberation desires to award the contract for professional labor counsel services to the

firm of Trimboli & Prusinowski, LLC at the hourly rates set forth in the proposal; and

WHEREAS, the Authority's Treasurer certifies that funds are available in the Solid Waste Legal Consultation line item 01-1-900-923-245 and Water Legal Consultation line item 02-6-900-923-231; and

WHEREAS, the Authority has determined that the process utilized meets the statutory requirements for award of a contract pursuant to the fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

NOW THEREFORE, BE IT RESOLVED by the Morris County Municipal Utilities Authority in the County of Morris and State of New Jersey as follows:

3. The Acting Executive Director is authorized and directed to execute a retainer agreement with the firm of Trimboli & Prusinowski, LLC, 268 South Street, Morristown, New Jersey 07960 as Labor Counsel in accordance with the firm's proposal and hourly rates submitted in response to the aforementioned Invitation to Submit Proposals, which shall be in a form approved by General Counsel and in an amount not to exceed \$50,000.00. Any increase to the amount approved herein shall not occur without a separate Resolution of the Authority.
2. Funds in connection with the contract will be appropriated in accordance with the rate schedule set forth in the proposal.
3. A notice stating the nature, duration, service and amount of the contract and stating that this Resolution and contract are on file and available for public inspection at the offices of the Authority shall be published once in the official newspaper of the Authority.
4. A copy of the agreement authorized herein shall remain on file and be available for inspection at the offices of the Authority, 214A Center Grove Road, Randolph, New Jersey 07869.
5. This Resolution shall take effect immediately.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Morris County Municipal Utilities Authority at the Regular Meeting of the Authority held on April 11, 2017.

MORRIS COUNTY MUNICIPAL
UTILITIES AUTHORITY

By: _____
Laura Szwak, Chairwoman

ATTEST:

Marilyn Regner, Secretary

MOTION: Mr. Dour made a Motion to award Professional Legal Services Contract for Labor Counsel to Trimboli & Prusinowski, LLC and Mr. Platt seconded the Motion.

ROLL CALL: AYES: 7 NAYES: NONE ABSTENTIONS: NONE

Chairwoman Szwak asked the Board for a Motion for the meeting to adjourn at 9:12 p.m.

MOTION: Mr. Hudzik made a Motion for the meeting to adjourn at 9:12 a.m. Mr. Dour seconded the Motion and it was carried unanimously.

Marilyn Regner
Secretary

/mr